

Remarks

This communication is considered fully responsive to the Office Action mailed January 21, 2005 and made Final. Claims 1-9, 11-19, 21-26, and 28-29 were examined. Claims 1-9, 11-19, 21-26, and 28-29 stand rejected. No claims are amended. Claims 10, 20, and 27 were previously cancelled. No other claims are canceled. No new claims have been added. Reexamination and reconsideration of claims 1-9, 11-19, 21-26, and 28-29 are respectfully requested.

Claim Rejections - 35 U.S.C. 103(a)

The Office Action rejected claims 1-9, 11-19, 21-26, and 28-29 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,408,406 to Parris (hereinafter referred to as "Parris") in view of U.S. Patent Publication No. 2002/0184580A1 to Archibald (hereinafter referred to as "Archibald"). The Applicant respectfully traverses this rejection.

The invention recited in claims 1-9, 11-19, 21-26, and 28-29 of Applicant's patent application was conceived before the earliest priority date of Archibald (i.e., the "reference date"), and is coupled with due diligence from prior to the reference date to the filing date of Applicant's patent application. In support thereof, Applicant submits the attached Rule 131 affidavit and exhibits cited therein. Accordingly, Archibald is not available as a reference and claims 1-9, 11-19, 21-26, and 28-29 should be allowable.

By submitting the attached Rule 131 affidavit, Applicant does not make any admission regarding the disclosure of the Archibald reference. Applicant hereby expressly reserves the right to traverse the Examiner's rejection on substantive grounds if necessary at a later date.

Conclusion

The Applicant respectfully requests that a timely Notice of Allowance be issued in this matter

Respectfully Submitted,

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